

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ANDRE SIMS,

Plaintiff,

vs.

MIDLAND FUNDING, LLC and
GORDON, AYLWORTH, & TAMI, P.C.

Defendants.

NO. 2:20-cv-01230-TSZ

**ORDER GRANTING PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

THIS MATTER having come before the Court on Plaintiff's Motion for Partial Summary Judgment, and the Court, having reviewed the motion (and subsumed declarations and exhibits) and all responsive documents, hereby rules as follows:

Plaintiff's Motion is GRANTED in its entirety. The Court finds that there are no genuine issues of material fact as to the events described in Plaintiff's Motion for Partial Summary Judgment, generally regarding Defendant Midland Funding, LLC's ("Midland") and Gordon, Aylworth, & Tami, P.C.'s ("GAT") pursuit of a default judgment against Plaintiff Andre Sims and subsequent garnishment. Defendant's actions constitute violations of 15 U.S.C. §§ 1692e, 1692e(2), 1692f, and 1692f(1).

These violations constitute per se violations of the Consumer Protection Act, RCW

1 Chapter 19.86. Mr. Sims has further established that he suffered “injury” for purposes of the
2 CPA by virtue of having incurred expenses in connection with determining his legal rights and
3 obligations, as well as by having had his wages garnished.

4 The Court finds that statutory damages are available pursuant to 15 U.S.C. § 1692k. The
5 amount of any damages and extent of any remedies will be determined at trial.

6 Plaintiff is entitled to his costs as well attorney’s fees pursuant to 15 U.S.C. § 1692k(a)(3)
7 and RCW 19.86.090 in an amount which will be determined at the conclusion of this litigation.

8 IT IS SO ORDERED.

9 Entered this _____ day of _____, 2021

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13 _____
UNITED STATES DISTRICT JUDGE

14 Presented by:

15 **ANDERSON SANTIAGO, PLLC**

16 By: /s/ Jason Anderson
17 Jason Anderson, WSBA# 38014
18 Attorney for Plaintiff
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